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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Yasuji Kusuda

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EXAMINER

REDDY, SATHAVARAM I

ART UNIT

PAPER NUMBER

1794

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,668	Applicant(s) KUSUDA ET AL.	
	Examiner SATHAVARAM I. REDDY	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/16/2006, 11/9/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group I, claims 1-9 and 11-17 in the reply filed on 7/15/2009 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claim 10 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected process, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 7/15/2009.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. **Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yano (EP 1 136 973) in view of Jarnebrick et al (US 6,630,228).**

Regarding claim 1, Yano (EP 1 136 973) discloses a display window protection panel comprising a transparent protective plate (Fig. 4a #2 “cover glass substrate”; paragraphs [0070]-[0073]), a decorating film including a hard coating film disposed above (Fig. 4a #3 “hard coating film”; paragraphs [0070]-[0073]) and a transparent sticking layer on the surface of the transparent protective plate (Fig. 4a #6 “primer layer”; paragraphs [0070]-[0073]).

Yano (EP 1 136 973) does not appear to explicitly disclose the decorating film including a window forming layer having a decorated portion and transparent window portion.

However, Jarnebrick et al (US 6,630,228) discloses the decorating film including a window forming layer having a decorated portion (Fig. 1 #1 “protective film”; col. 2, lines 37-62) and transparent window portion (Fig. 1 #5 “display window”; col. 2, lines 37-62).

Regarding claim 2, Yano (EP 1 136 973) discloses the decorating film including a window forming layer having a decorated portion in the peripheral area of the decorating film and transparent window portion in the central portion of the decorated film.

Yano (EP 1 136 973) does not appear to explicitly disclose the decorating film including a window forming layer having a decorated portion in the peripheral area of

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the decorating film and transparent window portion in the central portion of the decorating film.

However, Jarnebrick et al (US 6,630,228) discloses the decorating film including a window forming layer having a decorated portion in the peripheral area of the decorating film (Fig. 1 #1 “protective film”; col. 2, lines 37-62) and transparent window portion in the central portion of the decorating film (Fig. 1 #5 “display window”; col. 2, lines 37-62).

Regarding claim 3, Yano (EP 1 136 973) discloses a decorating film provided with a first low reflectance processed layer (Fig. 4a #4 “anti-reflection coating”; paragraphs [0065], [0066] and [0072]).

Regarding claim 4, Yano (EP 1 136 973) discloses the first low reflectance processed layer provided on the entire other surface of the hard coating film (Fig. 4a #4 “anti-reflection coating”; paragraphs [0065], [0066] and [0072]).

Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) are analogous art because they are from the same field of display coverings.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yano (EP 1 136 973) and Jarnebrick et al (US

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6,630,228) before him or her, to modify the display covering of Yano (EP 1 136 973) to include the window forming layer of Jarnebrick et al (US 6,630,228) in that having a window forming layer of a decorated portion and a transparent window portion provides high optical clearness and high resistance against scratches and impacts (col. 2, lines 37-62).

5. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) in view of Keiichi (JP 2002-072214).

Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) is relied upon as described above.

Regarding claim 5, Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) do not appear to explicitly disclose the transparent protective plate being optical isotropic and being provided with a polarizing plate.

However, Keiichi (JP 2002-072214) discloses the transparent protective plate being optical isotropic (Drawing 3 #3 “transparent protective plate”; paragraphs [0009] and [0010]) and being provided with a polarizing plate (Drawing 3 #2 “polarizing plate”; paragraphs [0009] and [0010]).

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Regarding claim 6, Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) do not appear to explicitly disclose the polarizing plate on a surface of the transparent protective plate not opposing the display device.

However, Keiichi (JP 2002-072214) discloses the polarizing plate on a surface of the transparent protective plate not opposing the display device (Drawing 3 #2 “polarizing plate”; paragraphs [0009] and [0010]).

Regarding claim 7, Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) do not appear to explicitly disclose the second low reflectance processed layer on a surface of the transparent protective plate opposing the display device.

However, Keiichi (JP 2002-072214) discloses the second low reflectance processed layer on a surface of the transparent protective plate opposing the display device (Drawing 3 #1 “ $\lambda/4$ board”; paragraphs [0009] and [0010]).

Regarding claim 8, Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) do not appear to explicitly disclose the second low reflectance processed layer being a $\lambda/4$ plate.

However, Keiichi (JP 2002-072214) discloses the second low reflectance processed layer being a $\lambda/4$ plate (Drawing 3 #1 " $\lambda/4$ board"; paragraphs [0009] and [0010]).

Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228), Keiichi (JP 2002-072214) are analogous art because they are from the same field of display coverings.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228) and Keiichi (JP 2002-072214) before him or her, to modify the display covering of Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) to include the polarizing plate and $\lambda/4$ plate of Keiichi (JP 2002-072214) in that having a polarizing plate and $\lambda/4$ plate provides circular light board functions with high luminosity (paragraph [0002]).

6. Claims 9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) in view of Tanube (US 7,014,916).

Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) is relied upon as described above.

Regarding claims 9 and 11-13, Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) do not appear to explicitly disclose the transparent protective plate being a touch panel of a movable electrode film and a fixed electrode plate on the peripheral portion of the movable electrode film forming an air layer.

However, Tanube (US 7,014,916) discloses the transparent protective plate being a touch panel of a movable electrode film (Fig. 1 #25 “upper electrical conductive layer”) and a fixed electrode plate (Fig. 1 #30 “lower electrical conductive layer”) on the peripheral portion of the movable electrode film forming an air layer (col. 3, lines 51-58).

Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228), Tanube (US 7,014,916) are analogous art because they are from the same field of display coverings.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228) and Tanube (US 7,014,916) before him or her, to modify the display covering of Yano (EP 1 136 973) and Jarnebrick et al (US 6,630,228) to include the touch panel of Tanube (US 7,014,916) in that having the transparent protective plate as a touch panel provides a device which is hardly damaged upon a strong force (col. 2, lines 7-11).

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7. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228) and Keiichi (JP 2002-072214) in view of Tanube (US 7,014,916).

Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228) and Keiichi (JP 2002-072214) is relied upon as described above.

Regarding claims 14-17, Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228) and Keiichi (JP 2002-072214) do not appear to explicitly disclose the transparent protective plate being a touch panel of a movable electrode film and a fixed electrode plate on the peripheral portion of the movable electrode film forming an air layer.

However, Tanube (US 7,014,916) discloses the transparent protective plate being a touch panel of a movable electrode film and a fixed electrode plate on the peripheral portion of the movable electrode film forming an air layer (col. 3, lines 51-58).

Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228), Keiichi (JP 2002-072214) and Tanube (US 7,014,916) are analogous art because they are from the same field of display coverings.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228),

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Keiichi (JP 2002-072214) and Tanube (US 7,014,916) before him or her, to modify the display covering of Yano (EP 1 136 973), Jarnebrick et al (US 6,630,228) and Keiichi (JP 2002-072214) to include the touch panel of Tanube (US 7,014,916) in that having the transparent protective plate as a touch panel provides a device which is hardly damaged upon a strong force (col. 2, lines 7-11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SATHAVARAM I. REDDY whose telephone number is (571) 270-7061. The examiner can normally be reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Ruthkosky can be reached on (571) 272-1291. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark Ruthkosky/
Supervisory Patent Examiner, Art Unit 1794

SATHAVARAM I REDDY
Examiner
Art Unit 1794